THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.217 of 2006

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Dated: 04.01.2006

Between:

R.Bhoopathy Reddy, S/o.R.Bal Reddy,
Ellanthakunta Mandal, Karimnagar District.

..... PETITIONER

AND

The President, Ellanthakunta PACS,

Ellanthakunta (Post & Mandal),

Karimnagar District and another.

.....RESPONDENTS

ORDER:

The petitioner is employed as Secretary in Primary Agricultural Cooperative Society, Ellanthakunta, the first respondent herein. Through the order, dated 19.10.2005, the first respondent placed the petitioner under suspension on the allegation that the petitioner has misutilised an amount of Rs.20,430/- . The petitioner challenges the same. According to him, the society has not been paying salaries to the employees for the past several months, and he kept the said amount for the purpose of payment of arrears of provident fund. He contends that when an objection was taken for such a step, he has refunded the amount on 03.11.2005.

Heard the learned counsel for the petitioner and the learned Government Pleader for Cooperation.

The petitioner is placed under suspension on an allegation that he has misutilised the membership amount of Rs.20,430/-, collected from newly admitted members. The petitioner states that the said amount has been set apart for the purpose of clearing the arrears of the provident fund contribution. The question, as to whether the petitioner had authorisation to take such a step, needs to be examined in the course of enquiry. Any observation made in this regard is likely to have its impact on the disciplinary proceedings. Inasmuch as more than two months time has elapsed, the respondents shall have to expedite the disciplinary proceedings, if not already initiated.

Hence, the writ petition is disposed of directing the respondents to conclude the disciplinary proceedings initiated against the petitioner within a period of three months from the date of receipt of a copy of this order. There shall be no order as to costs.

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04.01.2006

Note: Furnish C.C. in three days.

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